

**REMARKS**

Claims 1-44 were presented for examination. Of these, all but claims 22-24 and 41 were allowed. Claims 22, 24 and 41 were rejected and claim 23 was objected to as depending from a rejected claim. Herein, claim 22 has been amended to incorporate the limitations of claim 23, claim 23 has been cancelled as redundant, and claim 41 has been amended. Reconsideration is now requested. No new claims have been added.

With the amendment of claim 22 to incorporate the limitations of claim 23, claims 22 and 24 become allowable pursuant to the Office Action.

That leaves only claim 41 to be addressed. Claim 41 was rejected under 35 USC §103(a) as obvious over Tirumala, in view of Kershaw. In response, without acquiescing in the correctness of the rejection, and solely for the purpose of expediency, reserving the right to pursue a claim comparable to claim 41 in a continuation application, claim 41 has been amended to incorporate a limitation comparable to that of claim 23, which limitation has been indicated by the Office Action to impart patentable distinctness over the prior art. In particular, claim 41 now recites that the main memory status checker monitors main memory status and determines a currently open page of the main memory. The Office Action apparently concedes that such a limitation is not taught in the prior art or suggested thereby. Accordingly, amended claim 41 should now be allowed and reconsideration thereof is requested.

In response to the Examiner's indication of allowable subject matter and his explanation of a reason for allowance, Applicant notes that the Examiner's citation of specific lines of claims as teaching limitations not found in the prior art of record, while correct, should not be understood to imply that if other prior art were to show such limitations, that these claims would not otherwise be allowable. The claims as a whole might still define patentable subject matter. Such other art might not be combinable with the art of record, for example. Or other or combined limitations of the allowed claims might not be taught or suggested by any such

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additional art alone or in combination with other art of record. Claims are allowed, not claim limitations.


In view of the above amendment, Applicant believes the pending application is in condition for allowance.

### **CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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